

# Court of Appeals, State of Michigan

## ORDER

People of MI v Dwight Jackson

Docket No. 280084

LC No. 07-009401-01

Karen M. Fort Hood  
Presiding Judge

Helene N. White

Christopher M. Murray  
Judges

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The Court orders that the motion to remand pursuant to MCR 7.211(C)(1) is GRANTED. This matter is REMANDED to the trial court to allow defendant-appellant to move for resentencing. The proceedings on remand are limited to the sentencing issue raised in the motion to remand and resentencing if appropriate.

The Court retains jurisdiction and the time for proceeding with the appeal in this Court shall begin to run upon issuance of an order in the trial court that disposes of the post-conviction proceedings.

Defendant-appellant shall file with this Court a copy of any motion and supporting brief filed in the trial court within 14 days after the Clerk's certification of this order. The trial court shall hear and decide the matter within 56 days of the Clerk's certification of this order. Defendant-appellant shall also file with the Clerk of this Court copies of all orders entered on remand within 14 days after entry.

If the trial court denies the motion for resentencing, the trial court shall cause a transcript of any hearing on remand to be prepared and filed within 21 days after completion of the proceedings and defendant-appellant may file a supplemental brief pertaining to the sentencing issue within 21 days after entry of the order denying the motion for resentencing or 21 days after the transcript is filed, whichever date is later. Appellee may file a supplemental brief in response.

The time for proceeding with the appeal shall begin to run 14 days after the date this order is certified if the motion to initiate the post-conviction proceedings is not filed in the trial court within that 14-day period.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

**APR 23 2008**

Date

*Sandra Schultz Mengel*  
Chief Clerk